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Security Council

Seventy-first year

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Wednesday, 23 November 2016, 10.25 a.m.

New York

President:	Mr. Seck	(Senegal)
Members:	Angola	Mr. Gaspar Martins
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	Egypt	Mr. Aboulatta
	France	Mr. Delattre
	Japan	Mr. Bessho
	Malaysia	Mrs. Adnin
	New Zealand	Mr. Van Bohemen
	Russian Federation	Mr. Safronkov
	Spain	Mr. González de Linares Palou
	Ukraine	Mr. Yelchenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Ms. Sison
	Uruguay	Mr. Rosselli
	Venezuela (Bolivarian Republic of)	Mr. Ramirez Carreño

Agenda

The situation in the Middle East, including the Palestinian question

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The meeting was called to order at 10.25 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in French*): In accordance with article 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Mr. Nickolay Mladenov, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General; and Mr. Stephen O'Brien, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Mladenov.

Mr. Mladenov: As we sit here today, the continuing status quo in the occupied Palestinian territory reduces the prospect for sustainable and just peace between Israelis and Palestinians. Rarely have the risks to the two-State solution been greater than today. How many times have we said in this Chamber that we must move past the blatant obstructionism, the false starts and the perpetual claims that the time is simply not right for action? Inaction has a cost, one measured in human lives and suffering. The situation on the ground is changing steadily — dangerously — as proponents of Israeli settlement expansion feel emboldened, internal divisions among Palestinians flare up and the prospect of a future Palestinian State comes under threats like never before.

The proponents of the status quo, the critics of the two-State solution, offer no viable alternative that meets the legitimate national and historic aspirations of both Israelis and Palestinians. The alternative is an open-ended occupation, a perpetual conflict that breeds anger among the people of Palestine and Israel and fuels radicals across a Middle East already torn by ethnic and religious strife.

Socioeconomic despair, underpinned by the persistent hardships of the occupation and fragile democratic institutions, is affecting stability in the West Bank and threatening to erode the achievements of the Palestinian State-building agenda. The stark reality is most visible in the Palestine refugee camps, which remain a symbol of the failure to produce a sustainable political solution to end the conflict and Palestinian suffering.

I visited the West Bank city of Nablus twice this month to meet with the Governor, as well as with residents and representatives of the Balata refugee camp. Established in 1950 to serve approximately 5,000 refugees, Balata today is the home of almost 30,000 people, living on just 0.25 square kilometres of land. Some 50 per cent of its residents are reportedly unemployed, the majority of them youths. Poverty and food insecurity rates are the highest in the West Bank. The harsh conditions, combined with regular Israeli incursions and the lack of a permanent home, create the potential for violence.

With growing political tension in the West Bank over the past months, we have witnessed a series of clashes between Palestinian security forces and residents of the camp and the nearby old city. Regrettably, during recent operations, one woman caught in the crossfire was killed and 15 people were injured, including four security personnel.

The Palestinian Authority has an obligation to maintain law and order, including in the refugee camps, which they continue to do effectively and professionally under very challenging circumstances. It is critical that, should force be used, it be used judiciously. Those charged or arrested must be afforded due judicial process and treated equally under Palestinian law.

The problems in the camps are a reflection of the deep social economic and political challenges, the resolution of which is not in the hands of the vulnerable Palestine refugees; rather, it is foremost in the hands of Palestinian and Israeli political leaders. Left without hope and mired in poverty, Palestine's most traumatized — its refugees — have seen their needs outpace the resources available to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

Generations of residents have been educated by UNRWA and thousands have gained employment and a sense of security through its various activities. The most destitute have benefitted from its relief programme. I appeal to the international community to support UNRWA so that it can carry out its activities effectively and predictably. I welcome the generous commitments made by the United Arab Emirates

and Kuwait, in addition to Canada's resumption of support for UNRWA. That support is indispensable to maintaining the lives of Palestine refugees and to the stability of the region.

The situation in the camps, however, is only part of the story. If current socioeconomic trends continue, the potential for serious deterioration of the situation in the West Bank will grow. The Palestinian Authority faces fiscal difficulties, as international assistance this year is down by some 30 per cent. The Palestinian Authority is dependent upon Israel for clearance revenues, and on the international community for financial support. Economic development in the West Bank remains constrained by Israeli restrictions on access to the most fertile lands, water and mineral resources in Area C, which constitutes approximately 60 per cent of the West Bank.

While Israel has made important positive gestures, including retroactively legalizing two Palestinian schools and advancing a community outline plan for a Palestinian village in Area C near Jenin, such steps are only the beginning. They need to be expanded and encouraged. I welcome the important discussions being held between the parties on critical issues, such as water and electricity, that build on agreements from the Ad Hoc Liaison Committee meeting in September here in New York.

While progress is being made, it remains slow. It is critical that these discussions become operational realities in order to meet the dire needs of the West Bank and Gaza. It is in no one's interest to allow the Palestinian economy and stability to crumble. Only significant policy shifts by Israel and actions by the Palestinians to strengthen their institutions and the rule of law can sustainably reverse this cause.

In its July report (see S/2016/595), the Middle East Quartet underscored the need for Palestinian unity: a single, democratic and legitimate Government that unites Gaza and the West Bank. That remains critical for the fulfilment of Palestinian national aspirations. Sadly, that unity continues to remain an elusive goal.

On 29 November, Fatah is scheduled to hold its seventh party conference. That should be used as an opportunity for promoting unity, for strengthening the mainstream centre of Palestinian politics and paving the way for elections. I urge all to conduct the proceedings in a fully transparent and representational manner that encourages moderate voices and respects opposing views.

Recent developments in Israel are increasingly worrying. Last week, despite strong opposition, the so-called legalization bill passed a preliminary vote in the Knesset. If adopted, the bill would enable the expansion of illegal settlements and outposts on private Palestinian land. If ratified, it would constitute a breach of international law and, according to Israel's own Attorney General, would also be unconstitutional.

Today, the local planning committee in Jerusalem decided to advance plans for 500 new housing units in the existing settlement of Ramat Shlomo, further encroaching into the East Jerusalem neighbourhood of Beit Hanina. I once again urge Israel to adhere to the repeated calls to cease illegal settlement construction in the occupied West Bank, including East Jerusalem.

In recent weeks, Israel has also conducted over 80 demolitions of Palestinian structures in Area C and East Jerusalem, for a lack of building permits that are next to impossible to obtain. In this latest round 122 people have been displaced. This year to date, over 1,020 structures have been demolished, which is nearly twice last year's total.

Let me now turn to Gaza, where I continue to be deeply concerned by the continuing militant buildup, smuggling and increased restrictions on the movement of people and goods in and out of the Strip. As I briefed the Security Council last month (see S/PV.7792), the amount of construction materials entering Gaza is woefully inadequate to meet the vast reconstruction needs.

Due to limitations by Israel on imports of materials and approvals of construction projects, the volume of such building materials — primarily cement — has now fallen well behind demand. This creates tensions among approved beneficiaries over the limited availability in the market. At today's import rates, it would take at least seven months to clear the current backlog of 33,000 households in Gaza that have been approved to purchase cement to repair or reconstruct their housees. Thousands of households have been waiting for months to access the material they need, and economic activity in the Gaza strip is slowing ominously.

In October, at least 50 per cent of permit applications to exit Gaza were denied for national staff of international aid agencies alone, in sharp contrast to

the average of less than 5 per cent of denials in 2015. That has significant impacts on the ability of the United Nations and the humanitarian community to deliver and monitor ongoing programmes. While acknowledging Israel's security concerns, I urge it to address this pressing issue without delay.

I also welcome recent Egyptian efforts to relieve the suffering of the people in Gaza. The opening of the Rafah Border Crossing for 10cdays this month enabled thousands of people, including students and those seeking urgent medical attention, to cross into Egypt, and over 2,000 Palestinians to return back home to the Gaza strip.

I now turn briefly to Lebanon. Since the Council was last briefed, on 10 November, there have been further signs of the country overcoming its political crisis. Following the election of President Aoun, progress has been made towards the formation of a Government under the leadership of Prime Minister Saad Hariri. It is hoped that this positive momentum will translate into a full reactivation of institutions, including parliamentary elections by May 2017.

The situation in the United Nations Interim Force in Lebanon (UNIFIL) area of operations remains unchanged, mostly quiet with some violations by both sides. The UNIFIL investigation into a firing incident across the Blue Line on 26 October near Kafer Kela is ongoing. In a tripartite meeting, Israel and Lebanon reaffirmed their commitments to calm and stability along the Blue Line.

On the Golan, I remain concerned by the current precarious situation, which undermines the 1974 Disengagement of Forces Agreement and clearly jeopardizes the ceasefire between Israel and the Syrian Arab Republic. I urge both parties to maintain liaison with the United Nations Disengagement Observer Force and to refrain from any action that could escalate the situation across the ceasefire line and the already volatile regional environment.

As the situation in the West Bank continues to deteriorate, as Gaza's chronic challenges show little sustainable progress, and as the voices of extremism on all sides intensify their efforts to destroy any remaining hope for the two-State solution, I would like to conclude with a call to both parties and all stakeholders to stand up to those promoting a hate-driven agenda that threatens to prolong this conflict. A carefully worded statement or a well-crafted speech will not reverse the current trajectory. What people long for is concrete action. They need to see a plan to rebuild trust and create the conditions for a return to meaningful negotiations by focusing on positive changes on the ground and an engagement with the region. They need the international community to restate its consensus that the two-State solution is the only outcome that legitimately meets the national aspirations of both peoples, and to speak clearly against the obstacles to peace: settlements, the taking of land, violence and incitement. They need to hear from us that development cannot be a substitute for statehood and that democracy, human rights and the rule of law must be respected. They need courageous Israeli and Palestinian leaders who together can chart a clear strategy to peace and security.

I urge all those who are committed to ending the conflict, including the Council, to consider carefully what it will take to advance the prospects for peace, and to begin, in consultation with the parties, to develop an agreed path forward. Time is running out. Palestinians and Israelis deserve to live in peace; we must spare no effort in helping them reach that goal. As ever, the United Nations remains committed to advancing that objective.

The President (*spoke in French*): I thank Mr. Mladenov for his briefing.

I now give the floor to Mr. O'Brien.

Mr. O'Brien: I thank my colleague Mr. Nickolay Mladenov for his authoritative and comprehensive briefing, and I shall complement his remarks on the humanitarian situation in the occupied Palestinian territory. Last month, I also provided an overview of the humanitarian situation in the occupied Palestinian territory (see S/PV.7792). Today, I will focus my remarks on the increasing challenges humanitarian actors are facing in responding to the needs of those vulnerable Palestinians, and for which we need greater support from the Council.

In the occupied Gaza Strip, 70 per cent of the population currently receives some form of international assistance, mostly food aid. Yet our ability to deliver that assistance has become increasingly restricted. Israel bans or restricts the import of certain goods into Gaza, on the grounds that they have a dual military and civilian purpose. Affected items range from communications equipment to cement, wood and even water pumps, fire trucks and medical X-ray machines. Mr. Mladenov has already spoken about the growing

and dramatic gap between how much material Israel is permitting to be imported to Gaza through the Gaza Reconstruction Mechanism, and the growing waiting lists of beneficiaries. That translates very directly into the humanitarian realm, with 60,000 highly vulnerable, displaced persons in Gaza still waiting for their home sto be rebuilt, who need rental assistance and much more in the interim.

It is not just about concrete. Urgent projects, which aim to reduce the risk of flooding that threatens nearly 500,000 people as winter approaches, have been on hold for 10 months as they await clearance of equipment. Projects to rehabilitate water wells and the construction of a neonatal intensive care unit are other examples of urgent needs suffering unnecessary long delays.

Aid workers have also been caught up in the increased restrictions. United Nations staff in Gaza require a permit to leave Gaza in order to meet with their managers in Jerusalem or Ramallah, or to attend training programmes elsewhere. While those permits were relatively easy to receive in previous years, when never more than 10 per cent were typically rejected, last month more than half of our United Nations applicants were turned away, with some advised not to apply again for 12 months. No explanation other than "security" is cited, leaving us at a loss as to how to respond and with a growing morale problem. Non-governmental organizations (NGOs), embassies and others are experiencing similar trends.

Those new access restrictions are hitting other Gaza residents hard as well, of course; over half of the 2,000 permit applications by patients seeking urgent medical treatment outside Gaza in October, most typically for cancer treatment, were not approved by Israel. Inside Gaza, the operating space for NGOs is also difficult. The de facto authorities, Hamas, regularly seek to do audits, review staff or beneficiary lists or introduce new permit requirements and restrictions on work in certain areas of the Strip. NGOs need to resist those pressures and navigate anti-terrorist legislation set up by many Member States, which generate their own restrictions on the type of programming that is allowed and with whom one can and cannot engage.

The ongoing internal divisions between the Palestinian authorities in the West Bank and those in Gaza also inevitably transfer an increasing burden onto humanitarian actors and humanitarian budgets, as unstaffed operating theatres, dilapidated equipment and breaks in fuel supplies take their toll on people and services.

Ultimately, real progress in Gaza requires a full lifting of the blockade by Israel, in line with the resolutions of the Council and the General Assembly. Until that happens, Israel must ensure that items needed for reconstruction, relief and emergency preparedness are allowed entry, and that aid workers are able to move about to do their vital work.

While it is not a substitute for the opening of access to Israel, we also look to Egypt, in line with its own security considerations, to maintain the welcome increase in openings at the Rafah Border Crossing, which remains, literally, a life line for some. We must also see greater action from Palestinian leaders in Ramallah and Gaza; internal differences must be resolved for the sake of Palestine's most vulnerable constituents.

In the occupied West Bank, as the pressures increase on communities in Area C, so too do the obstacles to our operations there as well. As I have reported to the Council before, the pace of demolitions and confiscations of Palestinian property by the Israeli authorities has far exceeded any previous years on record — more than double this year as compared to 2015. Those have occurred mainly within herding communities in Area C, which count among Palestine's most vulnerable households. Obstruction to our operations in those areas is occurring in the most egregious way, with our relief items themselves frequently demolished or confiscated by Israeli forces. The rate of demolition or seizure of such donor-funded relief is on a trajectory to potentially triple as compared to 2015. Affected relief items include shelters and tents, water cisterns, animal pens and other basic structures for survival and livelihoods.

More fundamentally, Palestinians in Area C are living in an increasingly coercive environment that is created by discriminatory planning policies, demolitions, the active promotion of plans to relocate Bedouin to new townships and other practices that generate miserable living conditions and create pressure on people to move elsewhere. Much of that occurs in the line of sight of new or expanding Israeli settlements, which are illegal under international law, as reiterated by successive resolutions by the Council. About a quarter of the structures targeted this year were in Palestinian Bedouin communities located within or

near the area allocated to the E-1 settlement expansion project on the outskirts of occupied East Jerusalem.

It is critical that the interests of those vulnerable Bedouin communities be placed first. They need and deserve our unequivocal support to resist those coercive pressures by the occupying Power, and must not be burdened by still more pressures from Palestinian leaders, some of whom appear to view those communities as a key battleground in Palestine's long struggle. Those vulnerable civilians have no place as instruments in a political strategy.

I reiterate the Secretary-General's call to Israel to end the policies and practices that place those Palestinians at risk of forcible transfer. I also remind the Palestinian authorities of the need to respect the principles of independence, impartiality, neutrality and humanity, which are the bedrock of the humanitarian imperative.

The continued lack of a resolution to the core drivers of the ongoing humanitarian crisis has left Palestinians stuck in a perpetual cycle of humanitarian relief, increasingly dependent on assistance and facing an ongoing lack of respect for their rights and heightened instability. We need a coherent international response that will enhance the protection of civilians and deliver accountability for violations of international humanitarian law and international human rights law. That is especially important in the absence of an active political process between Israeli and Palestinian leaders.

Israel, the main duty-bearer, is a signatory to the Fourth Geneva Convention and has clear obligations as an occupying Power, and both Israel and Palestine have ratified the major human rights treaties. They are bound by customary international law as well, as are all countries. The members of the Security Council have a vital role to play in motivating the parties to respect their obligations. Similarly, all parties to the Geneva Conventions have an obligation not only to respect them but also to ensure that others respect them.

The challenges facing Palestinians in the occupied Palestinian territory, and the challenges that humanitarian personnel face in trying to assist them, require action not only by the Israeli and Palestinian authorities but by every member of the Council. If we want to prevent further deterioration in a region already overwhelmed with humanitarian emergencies, the Council's decisive collective action is vital. If it would help the members of the Council to have a specific list of humanitarian relief actions that should be taken or avoided, I and my colleagues will be pleased to provide it.

However, those actions notwithstanding, the principles of international humanitarian law do and must must apply. That includes all members of the Council, all those in the occupied Palestinian territory, both Israelis and Palestinians, and all who have signed international legal obligations to which they are, and must be held, accountable. We look to the Council to ensure greater respect for obligations under international humanitarian law and international human rights law and to enhance the protection of civilians. We look to the Council to safeguard the operational space that aid workers require to provide assistance to those most in need. And we look to the Council to address the underlying driver of Palestine's protection crisis through a political resolve to end the occupation, which is now approaching its fiftieth anniversary.

The President (*spoke in French*): I thank Mr. O'Brien for his briefing.

I shall now give the floor to the members of the Security Council who wish to make statements.

Mr. Rosselli (Uruguay) (*spoke in Spanish*): We would like to thank Mr. Mladenov and Mr. O'Brien for their testimony, which is considerably more than briefings, being testament to something that we cannot even describe as déjà vu, since déjà vu implies a static situation. The current situation is not static; it is simply deteriorating.

We listened very carefully to Mr. O'Brien's most recent testimony. There was a moment during it when I was not sure whether I was listening to him talk about Israel, Gaza and Palestine, or about Syria, the Sudan, South Sudan or Yemen, because the obstacles to development and the tasks being carried out by United Nations entities in the field and to humanitarian assistance are things that we have so many times denounced in the Council with regard to the Sudan, South Sudan and Yemen. They are the same. A Government is blocking the work that the Council has been trying to do through numerous missions and for many years.

Therefore, in the same way, and with the same passion with which my delegation has asked other Governments to stop interrupting and interfering with the provision of assistnance by the United Nations, we

urge the same thing of the Government of Israel and, in appropriate cases, the Palestinian Authority. The Security Council cannot treat people differently. We have heard other impassioned statements denouncing the desperate situations that result from the decreased access for humanitarian aid, to various areas of Syria, for example. Mr. Mladenov and Mr. O'Brien are using the same narrative with regard to the Palestinian people. We therefore appeal to the authorities in this particular conflict that they stop such activities.

Uruguay is concerned about the total lack of progress in the Palestinian-Israeli conflict, with its humanitarian, political and security implications for both countries and the region as a whole. We once again affirm our support for the right of Israel and Palestine to live in peace, within secure and recognized borders, in an atmosphere of renewed cooperation, free of any threat or act that could threaten peace. We also support a solution based on two independent States, convinced that that is the only option that can enable Israel and Palestine to peacefully coexist. It is up to the parties to create the conditions necessary for a resumption of negotiations and to take action and adopt policies that demonstrate their commitment to a two-State solution. They should also refrain from taking unilateral decisions that hinder dialogue and that they comply with their obligations under international law.

Uruguay remains concerned about the Israeli authorities' continuing decisions to build settlements in the occupied Palestinian territory in the West Bank, as well as their policy of demolishing Palestinian homes and buildings. We have to point out once again that the settlements are illegal under international law, and we urge Israel to stop this practice. We also reiterate our firm condemnation of acts of terrorism and their glorification, as well as the incidents in which unarmed Palestinians have died at the hands of Israeli security forces.

We reiterate that the only formula in the search for peace is direct bilateral negotiations between the Israelis and Palestinians, which would finallhy allow an end to this conflict, still unresolved almost seven decades after it began.

Mr. Ramírez Carreño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): I would like to thank you, Mr. President, for convening today's meeting. Following Uruguay's example, I wish to briefly express some views before the discussion on this item in closed consultations. I thank Mr. Mladenov and Mr. O'Brien for their briefings.

We stress once again — as we do every month when we hear yet another report on what is happening — that the tragedy in Palestine is the longest-lasting case with no resolution by the Security Council. We have beaten the Council's sad record of lack of ability or political will to reach a positive response to the tragedy that the Palestinian people are suffering.

We would like to voice our deepest rejection of and indignation at the State of Israel's permanent policy of aggression towards the Palestinian people and its occupation of their territory. It is surprising that Israel is one of probably only two or three countries in the world that disregard Security Council resolutions, and that in violation of all United Nations resolutions, including the Council's, it has continued to move forward, in as flagrant and illegal manner, with a policy of colonizing Palestinian territory. The status quo is unsustainable, as every delegation in the Security Council has said, but it continues to dig itself in deeper and weaken the possibility of a two-State solution.

We reiterate that the occupation of Palestine requires re-establishing the full rights of the Palestinian people to their self-determination and independence, as well as Israel's withdrawal from all occupied territories to the pre-1967 borders. We once again reject the settlement policy of the occupying Power. Israeli settlements are not only illegal and run counter to all international law and resolutions but — worse yet — are also part of an ongoing strategy by the occupying Power aimed at colonizing Palestinian territory and expelling Palestinians from their land. We think that the recent decisions by the Israeli Government to attempt to use legal subterfuge to justify settlement expansions requires a resounding response by the Security Council.

We do not know for how long we will be able to ask Palestine to continue to be patient or how long we can ask the Palestinian Authority and the Palestinian people to continue to wait until the Security Council agrees upon a strategy. This is a situation in which the Security Council is shirking its responsibility. As an elected member of the Security Council until 31 December, and given that many States here are involved in dealing with the question of Palestine, including, in particular, Senegal, which co-chairs the Committee on the Exercise of the Inalienable Rights of the Palestinian People and is the African representative

of the Arab people, we believe that time is right for the Council to at least adopt a draft resolution that denounces the settlements as illegal and insists that Israel comply with international law.

I want to underscore that at the latest informal consultations we held with representatives of Israeli civil society, one of the participants said that part of the problem and the reason for which Israeli Governments acts with impunity is that there is no international response to the violations of the provisions of the Security Council and the United Nations. There is no response, and the Israeli authorities therefore are acting as though they have the support or, at least, the green light of some of the members of the Security Council. We would like to make a particular appeal to the United States delegation. Although we are in a transition period between Administrations, President Obama is still in power and perhaps has a last opportunity to say something in favour of the Palestinian people, legality and the rule of law.

Lastly, we would be remiss if we failed to mention the humanitarian situation in the occupied territories and the situation marked by extraordinary violence that the occupying Power exerts upon the Palestinian people. More than 7,000 Palestinians are held in Israeli prisons. More than 700 men, women and children are subject to administrative detention. We want to speak out in particular on behalf of the Palestinian children who are subject to military tribunal simply because they are voicing their ire and opposition to the Israeli occupation and ongoing Israeli violence against their people. We would also like to say that, through the settlements policy and their expansion, great prominence is being given to a very aggressive group, that is, extremist settlers, who carry out daily acts oppression and violence against the Palestinian people.

Finally, we once again call on all members of the Security Council to have the courage to take the historic step to reject clearly what Israel is doing in the occupied territories and to give a glimmer of hope for all the diplomatic efforts, including those supported by the Quartet, Russia and France, and all initiatives that deserve the unqualified support of the Security Council.

The President (*spoke in French*): I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 11.05 a.m.